

# **EXHIBIT A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

\*\*\*\*\*

KOPPERS, INC.,

Plaintiff \*

V.

Case No. 09-cv-0459

ENERGY GROUP RESOURCES, INC., \*

Defendant \*

\*\*\*\*\*

DEPOSITION OF SCOTT D. GAGNE

Deposition taken pursuant to Notice at the  
law offices of Hoefle, Phoenix, Gormley &  
Roberts, P.A., 402 State Street, Portsmouth,  
New Hampshire, on Wednesday, March 3, 2010,  
commencing at 9:33 a.m.

Court Reporter:

Janice P. Olsen, RPR,

Licensed Shorthand Court Reporter

N.H. License No. 62

-----  
DAVID R. JORDAN & ASSOCIATES

Certified Shorthand Court Reporters

P.O. Box 303

(603) 778-7710

Exeter, NH 03833

N.H. 1-800-562-3945

1 Q. It will wear out as expected and will need to be  
2 rebabbitted?

3 A. It's there so that the damage -- usually the  
4 babbitt can be replaced much more cost-  
5 effectively than, say, machining a journal, a  
6 steel journal, which you can only machine so many  
7 times before you get down below a safe diameter.

8 Q. Now, after seeing this wear and you made the  
9 recommendations that you referenced a moment ago,  
10 did Koppers, to your knowledge, agree to all of  
11 those recommendations? Which would be replace  
12 the flyball governor, new ring gear and rebabbitt  
13 the worm gear bearing.

14 A. Yes, they did. Because I don't believe they had  
15 much of a choice in the matter. If we put the  
16 original equipment back in, it would have  
17 probably failed -- it was on the verge of failure  
18 when we took it apart. So as far as the time  
19 line for that failure I can't be sure, but it was  
20 imminent.

21 Q. When that original worm gear was replaced, what  
22 was it replaced with?

23 MR. ROBERTS: Ring gear.

1 Q. Did I say "worm"? I'm sorry. Ring gear.

2 A. Yeah. The ring gear was replaced with a gear  
3 supplied by ERG in its surplus equipment.

4 Q. And then what happened to the original ring gear  
5 that was removed? Where did it go?

6 A. I believe it stayed on site at Koppers.

7 Actually, no, I'm sorry. The original  
8 ring gear went back with the oil pump to the ERG  
9 shop and then was returned to the site because it  
10 was part of that whole evolution of we actually  
11 put it back on the unit for a trial run with it  
12 later on.

13 So it was -- it was at our shop and then  
14 it was actually overnighted by mail to the site,  
15 to Koppers' site, at a later date. I'm not sure  
16 what date that was.

17 Q. I think that's in here. We'll get to that.

18 The steel worm gear --

19 A. Uh-hum.

20 Q. -- did it show signs of wear as well at this  
21 original opening when the first ring gear was  
22 discovered to show signs of wear?

23 A. The steel worm gear did not appear to have any

1 Q. Now, other than the inspection that you did on  
2 January 23, where you borrowed Jerry's microscope  
3 to look at the gears --

4 A. Uh-hum.

5 Q. -- is there anything else that you have done to  
6 further investigate the issue of whether  
7 electrical discharge played any role in these  
8 gears failing?

9 A. I have not, no.

10 Q. When you finish your work and you're getting  
11 ready to start up the turbine -- taking you back,  
12 now, to that first time, whenever, I asked you  
13 the question that if everything worked and you're  
14 fine and good to go home -- what, if anything, do  
15 you do in the way of any tests to determine  
16 whether there is electrical current running  
17 through the turbine in areas where it shouldn't  
18 be?

19 A. I normally don't do any test for electrical  
20 current after we bring it up.

21 Q. What is a "megger test"?

22 A. A "megger test" is a test of a certain piece of  
23 equipment's resistance to ground or from phase to

1 phase on a motor.

2 Q. And do you typically do megger tests on the  
3 turbine prior to starting it back up?

4 A. Megger tests on which part of the turbine?

5 Q. Well, on any part. Or tell me -- let me break it  
6 down.

7 On this turbine, the Koppers' turbine --

8 A. Yes.

9 Q. -- did you do any meggers tests?

10 A. Yes.

11 Q. And where were you testing?

12 A. I did a megger test on the generator stator. I  
13 believe the generator field. And T-3 pedestal.

14 Q. And when you do that megger test, what are you  
15 checking for?

16 A. Resistance to ground usually.

17 In case of, like, the generator stator.  
18 Or in case of the generator field, resistance  
19 from the shaft and the electrical path that the  
20 DC current goes through to check that there's no  
21 breach between that insulated electrical circuit  
22 and the shaft.

23 Q. Now, is this test, this megger test, done prior

1           one side on the shaft, I should not see a path, a  
2           current path. Should be resistance there.

3       Q.     Okay.

4       A.     And that resistance is what I measure with the  
5           megger in regards to the generator field.

6               MR. ROBERTS: I refer to ERG 146. There  
7           is a reference there at the bottom of the page  
8           checking the pedestal for ground with a mega  
9           ohmmeter.

10               Do you see that?

11               MR. MUST: Where are you?

12               MR. ROBERTS: Second bullet from the  
13           bottom on 146.

14               MR. MUST: I see it.

15               MR. ROBERTS: Is that what you were  
16           talking about?

17               THE WITNESS: Yes. That's checking the  
18           pedestal. Yeah, that's a --

19               MR. ROBERTS: Is that a megger?

20               THE WITNESS: Yeah, what did I write,  
21           M-E-G-A?

22               MR. ROBERTS: And I think there's --  
23           there is another reference in here, that